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IN THE UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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7 RONALD TOMAN,
8 THERESA TOMAN

No. C 11-04747 WHA

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Plaintiffs,

10 v.

**ORDER DENYING
MOTION TO RELATE**

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DEPUY ORTHOPAEDICS, INC.,
12 THOMAS SCHMALZRIED,

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Defendants.

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Having reviewed the administrative motion to consider whether another case with the same defendants is related to the above-captioned case, this order finds that the cases are not related. Civil Local Rule 3-12(a) explains that actions are related when (1) the "actions concern substantially the same parties, property, transaction or event," and (2) "[i]t appears likely that there will be an unduly burdensome duplication of labor and expense or conflicting results if the cases are conducted before different Judges."

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Relating the new action to the undersigned would in no way avoid a duplication of labor and expense or conflicting results, because the undersigned has done little work in the above-captioned case. The above-captioned case was only assigned to the undersigned for a brief period of time. No substantive order were issued and no substantive motions were made before the parties filed a stipulated motion to remand. For these reasons, the motion to relate is **DENIED**.

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IT IS SO ORDERED.

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Dated: January 19, 2012.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE